FEE TRANSMITTAL

Electronic Version v08
Stylesheet Version v08.0

Title of

[Disposable Magnifying Reader and Container]

The Examiner has rejected Claim 1-16 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Specifically, the Examiner has found that the language of Claims 1-16 reciting a cassette "custom integrated" with the container renders the aforementioned claims vague and indefinite as to the intended structural relationship. In response, Applicant has amended Claim 1 to recite "a cassette slidably received within a receptacle integrated with said container, wherein said receptacle extends vertically below said lid." (Emphasis added). Applicant submits that the rejections for indefiniteness are overcome.

The Examiner has also found that the language of Claims 3 is vague and indefinite as to what structure is intended by "flat face design." Applicant has amended Claim 3 to recite "a recessed flat face configured to move a viewing area closer to said cassette" (emphasis added). Applicant submits that the rejections for indefiniteness are overcome.

The Examiner has also found that the language of Claims 9 is vague and indefinite as to the placement of the "flap" to achieve the cited function of preventing splashing. In response, Applicant has amended Claim 9 to recite "a hinged flap adjacent to a rim of said container, the hinged portion of the flap being affixed to an interior surface of said container in a position which partially blocks the opening of said container, said flap being configured to reduce the splashing of ... said fluid specimen..." (emphasis added). Applicant submits that the rejections for indefiniteness are overcome.

Allowable Subject Matter

The Examiner has further stated that Claims 2-3 and 16 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant thanks the Examiner for extending this courtesy and has amended Claim 2-3 and 16 to be independent claims having the same claim number as the original dependent, and further including all of the limitations of the base claim and any intervening claims. In light of the